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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
February 21, 2002**

At any time during the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security).

- I. The City Council will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 1:00 P.M.
 1. Invocation by Chaplain Charles Edwards, Jr., Audie Murphy Memorial Veterans Hospital, and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular Council Meetings of February 7, 2002.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TDD for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

4. 3:00 p.m. – Public Hearing and Consideration of an Ordinance authorizing the reprogramming of Community Development Block Grant (CDBG) funds in the amount of \$3,336,504.43 available from City-wide project completions, program income funds, prior year unallocated contingencies and cancelled projects to address existing project shortfalls and new projects; authorizing the close-out and cancellation of affected projects and the creation and/or modification of appropriate projects and project budgets; ratifying payment to the San Antonio Local Development Co., Inc. on August 29, 2001 in the amount of \$117,002.65 and authorizing payment to the San Antonio Local Development Co., Inc. in the amount of \$117,002.65, for the September 1, 2002 installment, in connection with two defaulted HUD Section 108 Loans; reassigning CDBG funds in the amount of \$181,904.73 from Neighborhoods Acting Together to the Community Economic Revitalization Agency; authorizing the allocation of said funds; revising the appropriate project budgets; authorizing the execution and submission of contracts and other documents as necessary in connection therewith; and providing for payment. [Presented by Andrew W. Cameron, Director, Housing and Community Development; Frances A. Gonzalez, Assistant to the City Manager]

5. 5:00 P.M. – Citizens to Be Heard.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

6. An Ordinance accepting the low bid submitted by Horner Flooring Co., Inc. to provide the City of San Antonio Alamodome with a portable basketball floor for a total sum of \$90,240.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
7. An Ordinance accepting the sole source bid from Consolidated Traffic Controls, Inc. to provide the City of San Antonio Public Works Department with a school zone flashing beacon system for a total sum of \$71,100.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
8. An Ordinance accepting the low, qualified bid from Industrial Disposal Supply Company to provide the City of San Antonio Public Works Department with street sweepers for a total sum of \$199,872.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

9. An Ordinance accepting the low bid submitted by Grande Ford Truck Sales, Inc. to provide the City of San Antonio Public Works Department with dump trucks for a total sum of \$847,365.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

10. An Ordinance approving Field Alteration No. 1-Final in the decreased amount of \$27,879.16 to the contract with Fuquay, Inc. in connection with the Indianola from Garfield Alley to Camargo Community Development Block Grant (CDBG) Project, located in Council District 1; and revising the project budget. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

11. An Ordinance authorizing 1987 General Obligation Street Improvement Bond funds in the amount of \$6,880.00 for acquisition of fee simple title to six (6) parcels of real property out of Block 6, New City 7448, Alameda Gardens Subdivision, San Antonio, Bexar County, Texas, in connection with the Hortencia Street – Elizabeth Alyn to Fortuna Avenue Project (the “Project”) located in Council District 7; establishing compensation for the property; appropriating funds for title and miscellaneous expenses associated with the Project; authorizing City staff and/or its designated representatives to negotiate with and acquire the property on the approved terms; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance approving a Lease Renewal between the City of San Antonio, as landlord, and A&S Holdings, Ltd., as tenant, for 2,510 square feet of retail/office space at the Riverbend Parking Garage located at 412 East Commerce Street at a rental rate of \$3,388.50 per month for the first three years and \$3,514.00 per month for years four and five, increasing common area maintenance and chilled water charges and approving the assignment to A&S Holdings, Ltd. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
13. An Ordinance authorizing the execution of a First Amendment of Lease for an additional five (5) years with Bexar McCreless Corporation for use of 1,604 square feet of store space at McCreless Mall for use as the Community Link Service Center, at a total monthly rate of \$3,099.73, or approximately \$1.93 per square foot, for the first two years, and a total monthly rate of \$3,333.65, or approximately \$2.08 per square foot, for the third, fourth and fifth years of the lease, for a term beginning March 1, 2002 and ending February 28, 2007; appropriating funds; and providing for payment. [Presented by Antonio A. Bosmans, Director, Office of Customer Service/311 System; J. Rolando Bono, Deputy City Manager]

14. An Ordinance authorizing the appropriation of Community Development Block Grant (CDBG) funds in the amount of \$4,950.00 for acquisition of fee simple title to two (2) parcels of privately owned real property in connection with the Yellowstone - Mission Road to Roosevelt CDBG project; authorizing the allocation of program funds to said project; revising the project budget; authorizing the acquisition of said parcels and expenditure and payment of said funds for such acquisitions, if necessary; declaring said project to be a public project; declaring a public necessity to acquire by fee simple title said parcels, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of said project, said parcels being out of a 47.0 square foot tract of land, triangular in shape, out of Lot 13, NCB 6305, Mrs. E.V. Edmunds Subdivision, San Antonio, Bexar County, Texas and a 7.59 square foot tract of land, triangular in shape, out of Lot 14, NCB 6306, Mrs. E.V. Edmunds Subdivision, San Antonio, Bexar County, Texas for a public purpose, namely, the construction of street and drainage improvements in the Yellowstone - Mission Road to Roosevelt CDBG project; establishing a just compensation for the parcels; authorizing the negotiation and execution of contracts and other documents as necessary in connection therewith; and authorizing the filing of eminent domain proceedings, if necessary. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
15. An Ordinance authorizing the execution of a ten (10) year License Agreement between the City of San Antonio and Flasher, Ltd. with a license fee of \$10,000.00 to use public right of way to operate a continuous overhead security cable in the air space crossing over (1) West Grayson Street and (2) East Locust between North St. Mary's Street and East Euclid Street. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

Miscellaneous

16. An Ordinance accepting a \$200,000.00 grant from the Texas Department of Public Safety through the U.S. Department of Justice, Bureau of Justice Statistics, which will be used for the development of computer software by the Information Technology Services Department to implement the National and Texas Incident Based Reporting Systems, for the grant period September 1, 2001 through August 31, 2002. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]
17. An Ordinance amending a professional service contract with West Durango Plaza Trust, Inc. by extending the terms of the contract, which provides for additional police service to combat drugs and crime in the Las Palmas/Edgewood School District Area, through August 31, 2002. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

18. An Ordinance authorizing an amendment to Ordinance No. 94589 to provide for a fee of \$34.00 to recover the cost of the required FBI fingerprint-based criminal history records check for each person applying for a security badge at San Antonio International Airport in accordance with the new Federal Aviation Administration's Airport Security Program; authorizing the payment for fingerprint background check into an escrow account with the Aviation Security Clearinghouse; and authorizing the amendment of the FY 2001 – 2002 budget ordinance by increasing the expenditure appropriation for the Aviation Department budget by \$204,000.00. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Approval of Temporary Street Closures and Traffic Control Procedures for Special Events

19. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets between Brazos at Guadalupe and Alamo Plaza in connection with the Cesar Chavez March for Justice Parade, sponsored by the Cesar Chavez Committee, to be held on Saturday, March 30, 2002, from 11:00 A.M. until 1:30 P.M. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]
20. An Ordinance approving a parade permit and authorizing the temporary closure of certain downtown streets in connection with the MS Walk, sponsored by the Multiple Sclerosis Society, to be held on Saturday, April 6, 2002, from 8:30 A.M. until 11:00 A.M. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]
21. An Ordinance approving a parade permit and authorizing the temporary closure of certain downtown streets in connection with the Adelphi International Research Parade to be held on Sunday, May 19, 2002, from 6:15 P.M. until 7:45 P.M. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]
22. **Board, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]
- A. An Ordinance reappointing Frederick C. Magee to the Parks and Recreation Board (District 4) for a term of office to expire on March 31, 2004.
- B. An Ordinance appointing John Nicholas to the San Antonio Public Library Board of Trustees (District 8) for a term of office to expire on September 30, 2002.
- C. An Ordinance appointing Roger Enriquez as director of the San Antonio Local Development Company (District 5) for a term of office to expire on May 9, 2003.

ITEMS FOR INDIVIDUAL CONSIDERATION

23. An Ordinance accepting the proposals of Siew Pang Imports, Inc. d/b/a Native Texan, Host International, Inc., Fresquez Concessions Texas, Inc., J.R. Management, Inc. d/b/a Taste of Orient Chinese Restaurant, Reliable Amusement Company, Inc., McDonald's Corporation, Famous Famiglia, Lorna J. Smith d/b/a Shannon Smith's Enterprises, The Joint Venture of News and Gift Shops International, L.L.C., and Duty Free of San Antonio d/b/a NGSI/DFSA – San Antonio Joint Venture, and the Partnership of Duty Free of San Antonio and News and Gift Shops International, L.L.C., d/b/a DFSA/NGSI – San Antonio Partnership; authorizing the City Manager to execute standard concessionaire agreements, pursuant thereto, for the respective operation of a "Native Texan" regionally themed gift facility, a Simply Books / Starbucks Coffee Shop, Legends Sports Bar, Cinnabon Cinnamon Roll Facility, Quizno's Classic Sub Shop, Baskin Robbins Ice Cream Shop, Chinese restaurant facility, an amusement game room, McDonald's restaurants, New York Style Pizza Restaurant, a shoeshine shop, news and gift facilities, and a bookstore / gourmet coffee and pastry café in airport terminals at San Antonio International Airport, for terms ranging from five (5) to seven (7) years and providing for annual payments to the City of San Antonio of the greater of ten percent (10%) to twenty eight percent (28%) of gross revenues, or minimum annual guarantee payments of between \$2,800.00 and \$259,500.00. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]
24. An Ordinance authorizing modifications, amendments, and additions to the Unified Development Code regarding the River Improvement Overlay Districts; establishing six unique districts with specific design standards, residential and business use standards and regulations, and administration and procedures addressing building design, building alteration and demolition, amenities, pedestrian circulation, parking, views, solar access, aesthetics, landscaping, lighting, art, monuments, signage, boat access and use and penalties for violation for the length of the San Antonio River corridor. [Presented by Emil R. Moncivais, Director, Planning Department; Christopher J. Brady, Assistant City Manager]
25. An Ordinance authorizing the execution of a contract with MAXIMUS, Inc. in an amount not to exceed \$250,000.00 to conduct a span of control organization review of the City of San Antonio. [Presented by Louis A. Lendman, Director, Office of Management & Budget; Terry M. Brechtel, City Manager]
26. A Resolution directing City Public Service (CPS) to establish a Utility Conversion Project to be known as the West Avenue Utility Conversion Project and to spend an estimated \$240,745.00 from the CPS Overhead Conversion Fund to accomplish the conversion of overhead electric service to underground service at this location. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

27. Travel Authorization for Mayor Edward D. Garza who will travel to New York City, New York, for a presentation to Bond Rating Agency on future bond issuance from Saturday, February 23, 2002 to Tuesday, February 26, 2002.
28. An Ordinance authorizing the total expenditure of \$1,100.00, comprised of \$100.00 contributions from each of the eleven (11) Mayoral and City Council Contingency Account Funds, payable to the International Institute of Municipal Clerks (IIMC), to be used to purchase an ad in the IIMC Conference Book, in conjunction with the IIMC annual conference to be held in San Antonio, from May 17-23, 2002; as requested by Mayor Edward D. Garza.
29. An Ordinance authorizing the transfer of \$10,163.00 from the District 7 Contingency Fund Budget and reprogramming the funds as follows: increasing the District 7 Administrative Assistant Fund Budget by \$8,213.00; and increasing the District 7 City Hall Operations Budget by \$1,950.00; as requested by Councilman Julian Castro.
30. City Manager's Report.
31. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.
- A. Attorney-client consultation regarding the status of the negotiations of a Development Services Agreement on the terms and conditions of the possible donation to the City of San Antonio of certain real property and the terms and conditions of the acquisition by the City of San Antonio of certain real property by purchase, exchange, lease or value of real property as a component of the Development Services Agreement between the City of San Antonio and the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, Texas.
- B. Attorney-Client consultation regarding the status of the Right-of-Way Use Agreement negotiations with Grey Forest Utilities.
- C. Attorney-Client consultation regarding the status of the lawsuit styled Julius Spilman, et al, v. City of San Antonio, Cause No. 99-CI-10880, 166th Judicial District Court, Bexar County and the lawsuit styled Leonides Munoz, et. al. v. City of San Antonio and MICA Corporation, Cause No. 2000CI12265, 288th Judicial District Court, Bexar County, Texas.
- D. Attorney-Client consultation regarding terms and conditions of a Project Agreement with Sheraton Riverwalk, L.P. for the construction of a convention headquarters hotel adjacent to the Henry B. Gonzalez Convention Center.